

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

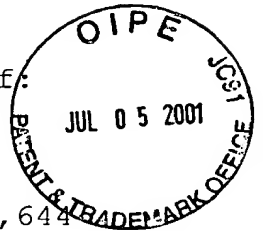
In re Application of:

EIS-SCHWARTZ et al

Appln. No.: 09/765,644

Filed: January 22, 2001

For: THE USE OF COPOLYMER 1 AND  
RELATED PEPTIDES AND...



BOX SEQUENCE

Confirmation No. 6853

Examiner:

Washington, D.C.

July 5, 2001

Atty. Docket: EIS-SCHWARTZ=13B

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION

Honorable Commissioner for Patents  
Washington, D.C. 20231

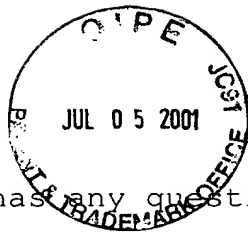
Sir:

Attached hereto is a 3 1/2" disk containing the  
"Sequence Listing" in computer readable form in accordance with 37  
C.F.R. §1.821(e).

I hereby state, in accordance with 37 C.F.R. §1.821(f),  
that the content of the paper copy sequence listing as originally  
filed and the attached computer readable copy of the sequence  
listing are believed to be the same.

I hereby also state, in accordance with 37 C.F.R.  
§1.821(g), that the submission is not believed to include new  
matter.

In re Appln. No. 09/765,644

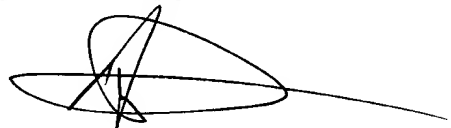


If the examiner has any questions or comments concerning the above described application, the examiner is urged to contact the undersigned at the phone number below.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By

  
Allen C. Yun  
Registration No. 37,971

ACY:pr  
624 Ninth Street, N.W.  
Washington, D.C. 20001  
Telephone No.: (202) 628-5197  
Facsimile No.: (202) 737-3528

F:\Y\YEDA\Eis-Schwartz13B\pto\RESPONSE TO NOTICE TO COMPLY.wpd

SECTOR  
\$  
BOX 58Q

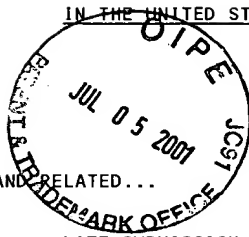
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
EISENBACH-SCHWARTZ, Michal

Serial No.: 09/765,644

Filed: January 22, 2001

For: THE USE OF COPOLYMER 1 AND RELATED...



) Application Division

) ATTN: Box Missing Parts

) Washington, D.C.

) July 5, 2001

) Confirmation No. 6853

## LATE SUBMISSION OF FILING FEE AND/OR DECLARATION

HON. COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

Sir:

The present communication is in response to the "NOTICE TO FILE MISSING PARTS OF APPLICATION..." dated May 10, 2001.

[XX] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, filing date and priority information.

[ ] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, serial number, filing date and priority information, and to which is attached a duplicate copy of the application as filed.

[XX] Applicant claims small entity status. See 37 CFR 1.27.

[ ] A Communication.

[ ] Preliminary Amendment.

[ ] Preliminary Amendment and Statements in Support of Filing and Submissions in Accordance with 37 C.F.R. §1.821-1.825.

[XX] Sequence Listing (hardcopy), and computer-readable form of Sequence Listing.

[ ] A certified copy of priority document no. \_\_\_\_\_, filed \_\_\_\_\_, is also attached. Priority is claimed.

[ ] An Information Disclosure Statement with 08A-1449 and \_\_\_\_\_ references is also attached.

[ ] Change of Address

The following fee is calculated below:

	(Col.1)	(Col. 2)	Small Entity			OTHER THAN A SMALL ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE				\$355.00	OR		\$ 710.00
TOTAL CLAIMS	39 - 20	19	X 9 =	\$171.00	OR	X 18 =	\$
INDEP. CLAIMS	- 3	0	X 40 =	\$	OR	X 80 =	\$
[ ] Multiple claims presented			+ 135 =	\$	OR	+ 260 =	\$
If the difference in Col. 1 is less than 0, enter "0" in Col. 2			TOTAL	\$526.00		TOTAL	\$

[ ] Surcharge for late filing of English translation \$ 130.00

[XX] Late filing of Declaration surcharge in the amount of: Small Entity [XX] \$65.00 Other than Small Entity [ ] \$130.00

[ ] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[ ] First - \$ 55.00

[ ] Second - \$ 195.00

[ ] Third - \$ 445.00

[ ] Fourth - \$ 695.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[ ] First - \$ 110.00

[ ] Second - \$ 390.00

[ ] Third - \$ 890.00

[ ] Fourth - \$1,390.00

Month After Time Period Set

[XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[XX] Credit Card Payment Form (PTO 2038) is authorizing payment in the amount of \$591.00, is attached.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By

Anne M. Kornbau

Registration No. 25,884

AMK:tw



## UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 05 2001

 BROWDY & NEIMARK  
 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/765,644	01/22/2001	Michael Eisenbach-schwartz	EIS-SCHWARTZ=13B

CONFIRMATION NO. 6853

## FORMALITIES LETTER



\*OC000000006062409\*

 BROWDY AND NEIMARK, P.L.L.C.  
 624 Ninth Street, N.W.  
 Washington, DC 20001

 DOCKETED  
 MSC-10JL2001

Date Mailed: 05/10/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).* 07/09/2001 AWONDAF1 00000205 09765644
- Total additional claim fee(s) for this application is \$342.
 

01 FC:201	355.00 OP
02 FC:205	65.00 OP
03 FC:203	171.00 OP

  - \$342 for 19 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1182.**
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with

that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY